

Serial No: 10/563,385
Resp. dated June 5, 2008
Reply to Office action of April 10, 2008

PATENT
PU030023
Customer No. 24498

Remarks/Arguments

The Office Action mailed April 10, 2008 has been reviewed and carefully considered.

Claims 1-12 remain pending in this application.

Reconsideration of the above-identified application in view of the following remarks is respectfully requested.

Claims 1-12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Published Patent Application No. 2003/0013452 A1 to Hunt et al. (hereinafter "Hunt") in view of U.S. Published Patent Application No. 2003/0195178 A1 to Chitrapu et al.

It is respectfully asserted herein that Claim 1, and all of the claims that depend therefrom, are patentable and non-obvious over the cited references for at least two reasons as set forth herein. First, it is respectfully asserted that none of the cited references, either taken singly or in combination, teach or suggest all of the recited limitations of Claim 1.

As previously discussed and agreed to by the Examiner, "Hunt fails to explicitly disclose that the micro cell and the one macro cell are directly communicating" (Office Action, p. 4).

Chitrapu et al. has been cited for disclosing that "the micro cell and the one macro cell are directly communicating in response to access of the micro cell by the mobile communications device (paragraphs 74, 80, read as the C-plane server is directly connected to the RIP GW, which allows the sharing of resources for control signal processing in case such as the UE would access the RAN IP when moving outside of the RLAN)."

Applicant's review of paragraphs 74 and 80 of Chitrapu et al. and the corresponding Figures fails to disclose or suggest the "third wireless channel" for communicating signaling information directly between one micro cell and the one macro cell in respond to access of the micro cell by the mobile communications device. In fact, Chitrapu et al. does not discuss such scenario at all.

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Referring to Figure 4 of Chitrapu et al., the RNC's are connected to the RLAN (IP) which is in turn connected to the Internet or Core Network depending on the particular configuration. There is no discussion or suggestion in the discussion of Figure 4 that the Node B can communicate directly with the RNC's via a direct wireless channel. Depending on the configuration, the RAN IP gateway has a direct internet connection and may have the standard direct UMTS network connection through an Iu interface with an associated Core Network (see paragraph 63 – Figs 4, 5, 8 and 9). The RAN IP gateway handles handover of a UE communicating with a Node B of the RLAN when it the UE moves outside the RLAN service region. This handover is performed utilizing IP packet service. Thus, in any interpretation of Chitrapu et al., the Nodes B of the RLAN clearly do not directly communicate to the RNCs via a direct dedicated wireless communication channel as set forth by the claimed invention. Reconsideration and withdrawal of the rejection is respectfully requested.

Independent claim 6 recites a system analogous to the method of independent claim 1, and recites, *inter alia*, "a third wireless channel for *directly* communicating signaling information between the one micro cell and the one macro cell *in response to access of the micro cell by the mobile communications device* to enable the controller to also control the operation of the macro cell." The applicant respectfully asserts that the preceding limitations are also not disclosed by either Hunt and/or Chitrapu et al., either taken singly or in combination, and that Claim 6 is patentably distinct over the cited references for at least the same reasons as set forth above with respect to independent claim 1.

Claims 2-5 depend from Claim 1 and, thus, includes all the elements of Claim 1. Claims 7-12 depend from Claim 6 or a claim which itself is dependent from Claim 6 and, thus, includes all the elements of Claim 6. Accordingly, Claims 2-5 and 7-12 are patentably distinct and non-obvious over the cited reference for at least the reasons set forth above with respect to Claims 1 and 6, respectively.

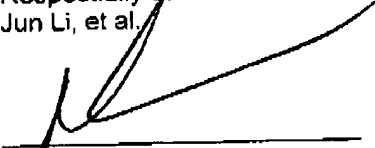
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In view of the foregoing, Applicant respectfully requests that the rejections of the claims set forth in the Office Action of April 10, 2008 be withdrawn, that pending claims 1-12 be allowed, and that the case proceed to early issuance of Letters Patent in due course.

It is believed that no additional fees or charges are currently due. However, in the event that any additional fees or charges are required at this time in connection with the application, they may be charged to applicant's representatives Deposit Account No. 07-0832.

Respectfully submitted,
Jun Li, et al.



Attorney for Applicant,
Robert B. Levy
Reg. No. 28,234
609/734-6820

Mailing Address:

Thomson Licensing LLC
Patent Operations
P.O. Box 5312
Princeton, NJ 08543-5312

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